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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,272	09/30/2002	Akira Ohmura	106121.08	5682

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EXAMINER	
HERNANDEZ, NELSON D	
ART UNIT	**PAPER NUMBER**
2622	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/065,272	OHMURA ET AL.	
	Examiner	Art Unit	
	Nelson D. Hernandez	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 August 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *14-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *14-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 November 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. 09/576,221.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 9, 2007 has been entered.

Response to Amendment

2. The Examiner acknowledges the amended claims filed on August 9, 2007. **Claims 1-13** have been canceled. **Claims 14, 21 and 27** have been amended.

Response to Arguments

3. Applicant's arguments filed August 9, 2007 have been fully considered but they are not persuasive.

The Applicant argues the following:

a. Applicants respectfully submit that the Patent Office errs in concluding that it would have been obvious to one having ordinary skill in the art to modify Berstis in view of the teachings provided by Koyama et al. to result in the combinations of features recited in Applicants' independent claims 14, 21 and 27. Accordingly, claims 14-27 are patentable and the rejection should be withdrawn.

Applicants respectfully submit that Koyama et al.'s teaching to switch a communication interface circuit, which is merely one portion of the Koyama et al. device, between a sleep mode and an active mode does not suggest modifying the camera of Berstis so that the manually operable power switch of Berstis switches the digital camera from the inoperative state to the operative state. Even when the Koyama et al. interface circuit is in the sleep mode, the Koyama et al. device is still in a mode in which its power switch is in the operative (ON) state. See, for example, col. 7, lines 58-64 of Koyama et al., which indicates that reproduction and recording can take place when the interface circuit is in the sleep mode. The device of Koyama et al. would be incapable of switching from the interface circuit sleep mode to the active mode if the power switch of Koyama et al. were in the state in which the Koyama et al. device is inoperative.

Thus, Koyama et al.'s teaching to switch only an interface circuit between a sleep mode and an active mode does not suggest modifying the Berstis system to result in a controller that controls reading-out and transmission of the digital images from a digital camera memory to a storage medium without a manual operation of the power switch of the digital camera from the inoperative state to the operative state, as recited in independent claims 14 and 21. For similar reasons, Koyama et al. does not suggest modifying the Berstis camera to have a controller that receives a signal through a first connector for switching the digital camera from the inoperative state to the operative state without a manual operation of the power switch as recited in independent claim 27. None of the references discloses or suggests the controller of claims 14 and 21 that controls

reading-out of the digital images from the digital camera memory and the transmission of the digital images from the digital camera memory to the storage medium without a manual operation of the power switch of the digital camera to switch the digital camera from the inoperative state to the operative state as recited in independent claims 14 and 21. None of the references discloses or suggests a camera having the claim 27 controller that receives a signal through the first connector for switching the digital camera from the inoperative state to the operative state without a manual operation of the power switch.

➢ Although the Examiner acknowledges that the Koyama et al.'s reference teaches switching the communication interface circuit and that other component in the camera may stay active, the Examiner understand that Koyama et al. provides the teaching of having a camera with certain components in a non operative state (sleep mode) switching to an operative state (active mode) upon detection of a communication signal from an external device in order to establish communication without user intervention (i.e. changing modes or switches) and that one of an ordinary skill in the art would recognize the advantages of switching an electronic device or circuit from a non-operative state to an operative state upon detection of a communication signal from an external device in order to reduce the power consumption of the electronic device (camera) to used said concept of enabling said electronic device or circuit upon detection of an external device connected to modify the Berstis reference to have the camera changing from an inoperative state to an operative state without using the power switch or any other user interface switch or buttons. Although the sleep mode in

Koyama is not something that is selected by operation of a manually operable power switch, the Examiner introduced the Koyama reference to show the limitation of automatically switching from an inoperative mode to an operative mode and vice versa based on a detection of a connection between the camera and an external device without having user intervention. Berstis does not disclose said automatic function, so the Examiner is introducing the Koyama reference to modify Berstis to have that automatic function that can occur without the operation of any user interface switch or buttons (i.e. power switch) in the camera, since the invention in Koyama discloses that said switch operation from an inoperative state (sleep mode) to the operative state (active mode) is perform automatically (Col. 17, line 50 – col. 18, line 35) which teaches that the operation is performed without intervention by the user.

Furthermore, the limitations "a controller that controls reading-out of the digital images from the digital camera memory and the transmission of the digital images from the digital camera memory to the storage medium without a manual operation of the power switch to switch the digital camera from the inoperative state to the operative state" does not necessarily require that the camera is in a non-operative state before transmitting the images to the storage and that the camera goes into an operative state when the connection or that a signal requesting image transfer is detected. Furthermore, the limitations as written do not define whether the operation of the power switch occurs before, after, or while transferring the images. The camera in Koyama et al. teaches transmitting information to an external device automatically upon detection of a signal from

the external device (Since the communication is performed automatically, it does not require user intervention such as operating the power switch). The Examiner understand that the invention teaches a camera that when is in an OFF or non-operable state turns ON when the image storage is powered ON providing power to the camera through the docking station and sending a signal to the camera, the system transfer the image data from the camera to the storage through said docking station, wherein if the camera is in an OFF state, said signal is used to change turn ON the camera to transmit the image data and when the camera is already in an ON state, the camera stays ON. Therefore, the rejections made to claims **14, 21 and 27** are maintained.

Claim Objections

4. **Claims 14 and 21** are objected to because of the following informalities: **claims 14 and 21** have the limitations "a controller that controls reading-out of the digital images from the digital camera memory and the transmission of the digital images from the digital camera memory to the storage medium without a manual operation of the power switch to switch the digital camera from the inoperative state to the operative state". Are both, the reading-out of the digital images from the digital camera memory and the transmission of the digital images controlled without a manual operation of the power switch to switch the digital camera from the inoperative state to the operative state? or only the transmission of the digital images is controlled without a manual operation of the power switch to switch the digital camera from the inoperative state to the operative state? Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 14-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis, US Patent 6,721,001 B1 in view of Koyama, US 6,237,106 B1.

Regarding claim 14, Berstis discloses a digital image storage system comprising: a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214) capable of storing digital images and a manually operable power switch (a power switch is inherently taught by Berstis; a power switch is necessitated in Berstis to switch from an operative state and an inoperative state the digital camera) that switches the digital camera between an operative state and an inoperative state; a data storage (Berstis discloses that the images are transmitted to a server or a computer system; col. 2, lines 40-46; col. 4, lines 53-63) including a docking station (Fig. 1: 106) on which the digital camera can be placed and a storage medium (by teaching that the images are transmitted to a server or a computer system, Berstis inherently discloses a data storage having a storage medium for storing the digital images since a storage medium is necessitated to store the image data; col. 2, lines 40-46; col. 4, lines 53-63) that stores the digital images transmitted from the digital camera memory through the docking station; a controller (Fig. 2: 216) that controls the reading-out of the digital images from the digital camera memory (col. 2, line 15 – col. 3, line 27; col. 4, lines 29-

63; the images are read for the memory to be transferred to the computer or host) and the transmission of the digital images from the digital camera memory to the storage medium (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 27; col. 4, lines 29-63).

Berstis does not explicitly disclose that the controller controls said reading-out of the digital images from the digital camera memory and the transmission of the digital images from the digital camera memory to the storage medium without a manual operation of the power switch to switch the digital camera from the inoperative state to the operative state.

However, Koyama teaches a communication method wherein when a device (i.e. a digital camera, video tape recorder "VTR", etc) detects connection to an external device, it automatically changes an inoperative state (when the communication interface is in a sleep mode and does not read out image information from the memory to transmit to the external device) to an operative state (when the communication interface is in active mode and the communication interface can read out image data to be transferred to the external device) enabling communication between both devices and when communication between the two devices is terminated, the first device waits a predetermined period of time before switching back to the inoperative state (when the communication interface is in a sleep mode) (Col. 17, line 50 – col. 18, line 35). Switching from an inoperative state to an operative state based on a detection of a connected device and from an operative state to an inoperative state based on a termination of communication is advantageous because it would help the digital image storage system to reduce power consumption and to establish a communication path to

the image storage when necessary and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Therefore, taking the combined teaching of Berstis in view of Koyama as a whole, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the digital image storage system of Berstis by having the circuit to change the status of the camera from a sleep mode to active mode in response to a connection detected between the camera and said image storage to read-out and transfer said image data and to switch back to sleep mode after elapsed of a predetermined period of time after transmission is terminated. The motivation to do so would enable the camera to reduce power consumption and to establish a communication path to the image storage when necessary as suggested by Koyama (Col. 2, lines 15-18) and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Regarding claim 15, limitations can be found in claim 14.

Regarding claim 16, the combined teaching of Berstis in view of Koyama as applied to claim 15 teaches that the controller transmits a signal to the digital camera for switching the digital camera from the inoperative state to the operative state before the digital images are transmitted from the digital camera (Koyama teaches changing from the inoperative state to the operative state when the external device is connected prior to start communication; col. 17, line 50 – col. 18, line 35).

Regarding claim 17, limitations can be found in claims 14 and 16.

Regarding claim 18, limitations can be found in claim 14.

Regarding claim 19, the combined teaching of Berstis in view of Koyama fails to teach that the controller is located at the data storage.

However, Official Notice is taken that controllers housed in external apparatuses for controlling different operations (i.e. capturing images, copying image files, deleting image files, controlling capturing conditions, controlling camera modes, etc.) in a camera are notoriously well known in the art. Having a controller for controlling different operations in a camera is advantageous because it would reduce the size and cost of the digital camera since the processes would be performed in the external apparatus.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital image storage system of Berstis in view of Koyama by having the controller housed in the data storage. The motivation to do so would have been to improve the digital image storage system by reducing the size and cost of the digital camera since the processes would be performed in the data storage.

Regarding claim 20, the combined teaching of Berstis in view of Koyama teaches that the docking station has a shape to fit a bottom of the digital camera (See Berstis fig.1, docking station 106 has a shape to fit a bottom part of the digital camera 102; col. 2, lines 15-39).

Regarding claim 21, Berstis discloses a digital image storage system comprising: a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214) capable of storing digital images and a manually operable power switch (a power switch is inherently taught by Berstis; a power switch is necessitated in Berstis to switch from an operative state and an inoperative state the digital camera) that switches the digital

camera between an operative state and an inoperative state; a docking station (Fig. 1: 106) on which the digital camera can be placed; a storage medium (by teaching that the images are transmitted to a server or a computer system, Berstis inherently discloses a data storage having a storage medium for storing the digital images since a storage medium is necessitated to store the image data; col. 2, lines 40-46; col. 4, lines 53-63) that stores the digital images transmitted from the digital camera memory through the docking station; and a controller (Fig. 2: 216) that controls the reading-out of the digital images from the digital camera memory (col. 2, line 15 – col. 3, line 27; the images are read for the memory to be transferred to the computer or host) and the transmission of the digital images from the digital camera memory to the storage medium (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose that the controller controls the reading-out of the digital images from the digital camera memory and the transmission of the digital images from the digital camera memory to the storage medium without a manual operation of the power switch to switch the digital camera from the inoperative state to the operative state.

However, Koyama teaches a communication method wherein when a device (i.e. a digital camera, video tape recorder "VTR", etc) detects connection to an external device, it automatically changes an inoperative state (when the communication interface is in a sleep mode and does not read out image information from the memory to transmit to the external device) to an operative state (when the communication interface is in active mode and the communication interface can read out image data to be transferred to the external device) enabling communication between both devices and

when communication between the two devices is terminated, the first device waits a predetermined period of time before switching back to the inoperative state (when the communication interface is in a sleep mode) (Col. 17, line 50 – col. 18, line 35). Switching from an inoperative state to an operative state based on a detection of a connected device and from an operative state to an inoperative state based on a termination of communication is advantageous because it would help the digital image storage system to reduce power consumption and to establish a communication path to the image storage when necessary and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Therefore, taking the combined teaching of Berstis in view of Koyama as a whole, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the digital image storage system of Berstis by having the circuit to change the status of the camera from a sleep mode to active mode in response to a connection detected between the camera and said image storage to read-out and transfer said image data and to switch back to sleep mode after elapsed of a predetermined period of time after transmission is terminated. The motivation to do so would enable the camera to reduce power consumption and to establish a communication path to the image storage when necessary as suggested by Koyama (Col. 2, lines 15-18) and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Regarding claim 22, limitations can be found in claim 21.

Regarding claim 23, the combined teaching of Berstis in view of Koyama as applied to claim 15 teaches that the controller transmits a signal to the digital camera for

switching the digital camera from the inoperative state to the operative state before the digital images are transmitted from the digital camera (Koyama teaches changing from the inoperative state to the operative state when the external device is connected prior to start communication; col. 17, line 50 – col. 18, line 35).

Regarding claim 24, limitations can be found in claims 21 and 23.

Regarding claim 25, limitations can be found in claim 21.

Regarding claim 26, the combined teaching of Berstis in view of Koyama teaches that the docking station has a shape to fit a bottom of the digital camera (See Berstis fig.1, docking station 106 has a shape to fit a bottom part of the digital camera 102; col. 2, lines 15-39).

Regarding claim 27, Berstis discloses a digital camera (Fig. 1: 102) that can be placed on a docking station (Fig. 1: 106), the digital camera comprising: a memory (Fig. 2: 214) capable of storing digital images; a battery (Fig. 2: 218); a manually operable power switch (a power switch is inherently taught by Berstis; a power switch is necessitated in Berstis to switch from an operative state and an inoperative state the digital camera) that switches the digital camera between an operative state and an inoperative state, the operative state being a state in which stored digital images can be read and transmitted from the memory (Berstis discloses the operative state being a state in which stored digital images can be read and transmitted from the memory by teaching that the camera transfer the image data to the computer, since the images have to be read from the memory of the camera to be transferred to the computer); a first connector (connector 217 as shown in fig. 2) through which data communication between the docking station and the digital camera is carried out when the digital

camera is placed on the docking station; a controller (Fig. 2: 216) that controls the transmission of the digital images from the digital camera memory to the storage medium; and a second connector (connector 219 as shown in fig. 2) through which the docking station supplies the battery with electric power to charge the battery when the digital camera is placed on the docking station (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose that the controller receives a signal through the first connector for switching the digital camera from the inoperative state to the operative state without a manual operation of the power switch.

However, Koyama teaches a communication method wherein when a device (i.e. a digital camera, video tape recorder "VTR", etc) detects connection to an external device, it automatically changes an inoperative state (when the communication interface is in a sleep mode and does not read image information from the memory to transmit to the external device) to an operative state (when the communication interface is in active mode) enabling communication between both devices and when communication between the two devices is terminated, the first device waits a predetermined period of time before switching back to the inoperative state (when the communication interface is in a sleep mode) (Col. 17, line 50 – col. 18, line 35). Switching from an inoperative state to an operative state based on a detection of a connected device and from an operative state to an inoperative state based on a termination of communication is advantageous because it would help the digital image storage system to reduce power consumption and to establish a communication path to the image storage when necessary and would

also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Therefore, taking the combined teaching of Berstis in view of Koyama as a whole, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the digital image storage system of Berstis by having the circuit to change the status of the camera from a sleep mode to active mode in response to a connection detected between the camera and said image storage to read-out and transfer said image data and to switch back to sleep mode after elapsed of a predetermined period of time after transmission is terminated. The motivation to do so would enable the camera to reduce power consumption and to establish a communication path to the image storage when necessary as suggested by Koyama (Col. 2, lines 15-18) and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 9:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez
Examiner
Art Unit 2622

NDHH
August 16, 2007

LIN YE
SUPERVISORY PATENT EXAMINER